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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,637	11/16/2000	Kouichi Matsuda	203828US6	5346
22850	7590	08/10/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, CAO H	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,637

Applicant(s)

MATSUDA, KOUICHI

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tahtinen (EP 0797338) in view of Leahy et al. (US Patent No. 6,219,045).

Regarding claim 1, Leahy discloses a conversation support system for supporting a plurality of users in having a virtual conversation in a shared virtual space built and provided on a computer network, comprising: enrolling means for enrolling an avatar of a logged-in user into said shared virtual space (see abstract); imparting means for imparting a virtual mobile telephone to each avatar in said shared virtual space, said virtual mobile telephone being usable within said shared virtual space (see col. 3, lines 4-34); however, Leahy fails to explicitly teach determination means for determining, in response to a call to a virtual mobile telephone, whether a calling party who originated said call exists from a telephone in said shared virtual space, (2) from a telephone in another virtual space, or (3) from a telephone in the real world, and connecting means for executing connection processing in accordance with the determination made by said determination means.

Tahtinen discloses determination means for determining, in response to a call to a virtual mobile telephone, whether a calling party who originated said call exists from a telephone in said shared virtual space, (2) from a telephone in another virtual space, or (3) from a telephone in the real world, and connecting means for executing connection processing in accordance with the determination made by said determination means (see col. 1, lines 3-58 and col. 2, lines 1-35). It would have been obvious to one of an ordinary skill in the art at the time the invention was made to provide in response to a call to a virtual mobile telephone, whether a calling party who originated said call exists from a telephone in said shared virtual space, (2) from a telephone in another virtual space, or (3) from a telephone in the real world, and connecting means for executing connection processing in accordance with the determination made by said determination means as taught by Tahtinen used in combination of Leahy to provide a virtual environment users, which have entered the virtual world, can communicate with other users by means of an avatar.

Regarding claim 2, Tahtinen discloses the conversation support system according to claim 1, wherein, if the determination means determines that said calling party originated said call from said telephone in the real world, said connecting means establishes a connection with said calling party through a public telephone network in the real world or executes message transfer (see col. 3, lines 23-48).

Regarding claim 3, Tahtinen discloses the conversation support system according to claim 1, wherein, if the determination means determines that said calling party originated said call from said telephone in said another virtual space, said connecting means establishes a connection with said telephone in said another virtual space or executes message transfer (see col. 3, lines 22-58).

Regarding claim 4, Tahtinen discloses the conversation support system according to claim 1, wherein said connecting means receives said call from said telephone in the real world or a virtual telephone in said another virtual space and connects the received call to a virtual mobile telephone of a called avatar in said shared virtual space (see col. 4, lines 10-54 and figure 1).

As claims 5-14 are analyzed as previously discussed with respected to claims 1-4 above.

Claims 15-17 differ from claim 1 in that, Leahy discloses a conversation support method for supporting an activity of an avatar in a shared virtual space built and provided on a computer network, comprising: receiving a request for sending a message from said avatar; determining whether a destination of said message exists in the real world; and executing connection processing in accordance with the determination made by the determining step (see col. 4, lines 1-67).

As claims 18, and 20-21 are analyzed as previously discussed with respected to claims 1-4 and 15 above.

Response to Amendment

Applicant's arguments filed 05/02/05 have been fully considered but they are not persuasive.

On pages 5-10, of the remark. All the claims are rejected under 103(a) as being discussed as above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

07/19/05